Deposition - Evaristo RODRIGUEZ, July 21, 1964, 11 H 339-46

Questioner: Liebeler

The Commission used special Agent Richard E. Logan of the FBI, an interpreter.

Rodriguez left Cuba in December 1961 to evade military service because "I wasn't in agreement with the present government". He came to the United States first in 1962 and then went "to Costa Rica and a few other countries. I came back here in January of 1963. I have bean here since January of 1963."

He has asked for political asylum. He is a night bartender at the Havana Bar, 117 Decatur Street, New Orleans, where he had been for about a year and 3 months. He identifies Orest Pena, Ruperto Pena, and Carlos Bringuier as people he knows. When asked to explain through the interpreter he said: "These men came into the bar, two men came into the bar, one of them which I learned later through TV and pictures and newspapers was Oswald. These men came into the bar. One of them spoke Spanish and the one who spoke Spanish ordered the tequila, so I told him that the price of the tequila was 50 cents. I brought him the tequila and a little water. The man protested at the price, thought it was too high, and he mase some statement to the effect that he was a Cuban, but an American citizen, and that surely - words to the effect that surely the owner of this bar must be a capitalist, and we had a little debate about the price, but that passed over. Then the man I later learned was Oswald ordered a lemonade. Now I didn't know what to give him because we don't have lemonades in the bar. So I asked Orest Pena how I should fix a lemonade. Orest told me to take a little of this lemon flavoring, squirt in some water, and charge him 25 cents for the lemonade, and that's the incident surrounding that situation."

Apparently there was an error in translation here because lower on the page Rodriguez is quoted as saying that it was the owner of the bar who was a Cuban but an American citizen. As to the man with Oswald, he says, "He could have been a Mexican; he could have been a Cuban, but at this point, I don't recall." In the description that follows he said the man was hairy, which parallels a comment about one of her visits by Mrs. Odio. His and her descriptions I believe agree on height of about 5'8" and the fact that this man was short and rather stocky. On p.342 his comment about the man's hairline also resembles that of Mrs. Odio.

Apparently Oswald also got drunk. He also "became sick on the table and on the floor." Assisted by his companion into the street, "he continued to be sick". On the time, Rodriguez presumes it was about the previous August. Orest Pena was in the bar at the time. Rodriguez recalls asking Pena how to prepare a lemonade when they had no lemons. He is uncertain of the exact date of the incident, but his best estimate is that it was a few days earlier or a few days after Bringuier was arrested. He saw the arrest by coincidence. Orest had taken him to the doctor and they just happened to be driving past at the time of the arrest. He gives a precise description of the part of the bar in which Oswald had his friend were sitting (p.343). He had an argument with the patrons over the drinks. There appear to have been difficulties with the transaction before this point and also here on p.344 where at one point Mr. Logan said, "Let me find out if he understood the question first because the thing is, I think he has got something else in mind," and then "I will get that out of him, too, the part you want," followed by "No, no. He doesn't get the message, and I am sure I am saying it plain enough." Rodriguez

then is quoted as having said his first identification of the man in this bar incident as Oswald was when he saw Oswald's picture in the paper following the assassination. Rodriguez also recalls telling Bringuier ofothe incident in the bar involving Oswald, following the assassination. He is positive in identifying Oswald from a picture as the man he saw in the bar incident. (P.345)

Shown photographs, Bringuier Exhibit No. 1, Garner Exhibit No. 1, and Pizzo Exhibit No. 453-C, he makes (p.345) an immediate identification of Oswald on the Bringuier picture. On p.383 Mrs. Odio does exactly the same thing. With respect to the Garner picture, (345-6), the Bringuier seemed a better representation. When Mrs. Odio was shown the Garner photograph (p.385) she said that she could identify Oswald but he didn't look quite the same. And when Rodriguez is shown the Pizzo picture of Oswald (p.346) he indicates a difference in appearance which again is bracketed by Mrs. Odio's opinion (p.385) when shown the same exhibit, No. 453-C, "Yes; I think that is him" but she indicates that there also is a difference in his appearance. Logan concludes Rodriguez' testimony for him by saying, "In his mind 'Bringuier Exhibit No. 1' which has the man with the X on him is the man who was in the bar and who he later learned was Oswald. This picture stands out in his mind the best, reminds him of the man the best; this one - " at which point Mr. Liebeler interjects, "Pizzo Exhibit No. 453-C", and Logan continues, "Appears to him to be Oswald, but he still says that the other photograph is the one that he can best identify ... "